

FORM PTO-1390
(REV 07-2005)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTORNEY DOCKET NO.
59494.00025TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

DATE: October 17, 2005

U.S. APPLN. NO.
(IF KNOWN, SEE 37 C.F.R. 1.5)**10/553684**INTERNATIONAL APPLICATION NO.
PCT/JP2004/005499INTERNATIONAL FILING DATE
16 April 2004PRIORITY DATE CLAIMED
21 April 2003

TITLE OF INVENTION: CONTROL APPARATUS FOR AN INTERNAL COMBUSTION ENGINE

APPLICANT(S) FOR DO/EO/US: Fumio YATABEI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
(THE BASIC FILING FEE IS ATTACHED)
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 20 below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98, along with form PTO-1449 and 4 References.
12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
 A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. Application Data Sheet.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information: CHECK NO. 13475; Formal Drawings (Figs. 1-3; 3 sheets); PCT/ISA/210; PCT/ISA/220; PCT/IPEA/409; PCT/IB/332; PCT/IPEA/402; PCT/IPEA/401; PCT/IB/308; PCT/IB/304; PCT/IB/301; PCT/ISA/237; PCT/RO/101

U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) 10/553684		INTERNATIONAL APPLICATION NO. PCT/JP2004/005499		ATTORNEY DOCKET NO. 59494.00025	
				DATE: October 17, 2005	
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492(a)).....\$300.00				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) <ul style="list-style-type: none"> • If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1) - (4) \$0.00 • All other situations.....\$200.00 				\$ 200.00	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) <ul style="list-style-type: none"> • If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0.00 • Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the United States Patent & Trademark Office as an International Search Authority.....\$100.00 • International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400.00 • All other situations.....\$500.00 				\$ 400.00	
TOTAL OF 21, 22 and 23 =				\$ 900.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].					
Claims		Number Filed	Number Extra	Rate	
Total Claims		1 - 20 =	0	X \$ 50.00	
Independent Claims		1 - 3 =	0	X \$ 200.00	
Multiple dependent claim(s) (if applicable)				+ \$360.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		X \$250.00		
TOTAL OF ABOVE CALCULATIONS =				\$ 900.00	
Reduction by one-half for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.					
SUBTOTAL =				\$ 900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. +					
TOTAL NATIONAL FEE =				\$ 900.00	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 940.00	
				Amount to be refunded	\$
				Charged	\$

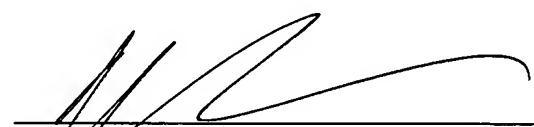
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- a. A check in the amount of \$940.00 to cover the above fees is enclosed.
- b. Please charge Counsel's Deposit Account No. 50-2222 in the amount of \$____ to cover the above fee.
A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Counsel's Deposit Account No. 50-2222.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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